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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/572,831	03/22/2006	Yusuke Konagai	YAMA:120	9261
37013 7590 10/03/2007 ROSSI, KIMMS & McDOWELL LLP. P.O. BOX 826 ASHBURN, VA 20146-0826			EXAMINER PAUL, DISLER	
			ART UNIT 2615	PAPER NUMBER
			MAIL DATE 10/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/572,831	Applicant(s) KONAGAI ET AL.	
	Examiner Disler Paul	Art Unit 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/22; 8/14/07</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 rejected under 35 U.S.C. 103(a) as being unpatentable over Akio (US 6,111,962) and Yoshino et al. (US 7,054,448 B2).

Re claim 1, Akio disclose of the audio characteristic correction system that is adapted to an audio surround system (fig.3-6), in which a sound emitted from a directional speaker is reflected on a wall surface or a sound reflection board so as to create a virtual speaker (fig.6-7; col.7 line 30-37), and that corrects for audio characteristics of the wall surface or the sound reflection board (col.7 line 40-55 & col.8 line 1-19/correction is implemented to created virtual wall reverberation), said audio characteristic correction system characterized being the gain of an audio signal input to the directional speaker is corrected such that the sound reflected on the wall surface or the sound reflection board has desired audio characteristics at a desired listening position (col.8 line 60-67 & fig.3 (21-28)).

However, Akio fail to disclose of the audio characteristic correction including at least one of the frequency-gain or frequency-phases, But, Yoshino et al. disclose of a system wherein the audio characteristic correction including at least one of the frequency-gain or frequency-phases (fig.3-5; col.7 line 25-67) for the purpose of creating high quality sound field space in consideration of the acoustic condition and space of the audio system. Thus, taking the combined teaching of Akio and now Yoshino et al. as a whole, it would have been obvious for one of the ordinary skill in the art at the time of the invention to have incorporated the audio characteristic correction including at least one of the frequency-gain or frequency-phases for the purpose of creating high quality sound field space in consideration of the acoustic condition and space of the audio system.

Re claim 2, Akio disclose of the audio characteristic correction system that is adapted to an audio surround system (fig.3-6/delay and amplitude correction for virtual wall), in which a sound emitted from a directional speaker is reflected on a wall surface or a sound reflection board so as to create a virtual speaker (fig.6-7; col.7 line 30-37), and that corrects for audio characteristics of the wall surface or the sound reflection board col.7 line 40-55 & col.8 line 1-19/correction is implemented to created virtual wall reverberation),

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said audio characteristic correction system comprising: a measurement means for measuring audio characteristics of the sound reflected on the wall surface or the sound reflection board (fig.3-5 wt col.7 line 50-54 & 35-40/microphone to take in measurement); and a characteristic correction means for correcting the gain of an audio signal input to the directional speaker such that the sound reflected on the wall surface or the sound reflection board has desired audio characteristics at a desired listening position (col.8 line 60-67 & fig.3 (21-28)).

However, Akio fail to disclose of the audio characteristic correction including at least one of the frequency-gain or frequency-phases, But, Yoshino et al. disclose of a system wherein the audio characteristic correction including at least one of the frequency-gain or frequency-phases (fig.3-5; col.7 line 25-67) for the purpose of creating high quality sound field space in consideration of the acoustic condition and space of the audio system. Thus, taking the combined teaching of Akio and now Yoshino et al. as a whole, it would have been obvious for one of the ordinary skill in the art at the time of the invention to have incorporated the audio characteristic correction including at least one of the frequency-gain or frequency-phases for the purpose of creating high quality sound field space in consideration of the acoustic condition and space of the audio system.

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Re claim 3, the audio characteristic correction system according to claim 2 further comprising a control means for setting at least one of the frequency-gain characteristics, frequency-phase characteristics (Yoshino, fig.3-5/equalizing), and gain of the audio signal input to the directional speaker for the characteristic correction means (col.8 line 60-67 & fig.3 (21-28)).

Re claim 4, the audio characteristic correction system according to claim 1 or 2, wherein the directional speaker is constituted using an array speaker (fig.3-5).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Disler Paul whose telephone number is 571-270-1187. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DP



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